

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 07-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

257253US0PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/507315

INTERNATIONAL APPLICATION NO.

PCT/EP03/02576

INTERNATIONAL FILING DATE

13 March 2003

PRIORITY DATE CLAIMED

15 March 2002

TITLE OF INVENTION

GRAFT POLYOLS HAVING A BIMODAL PARTICLE SIZE DISTRIBUTION, PREPARATION OF SUCH GRAFT POLYOLS AND THEIR USE FOR THE PREPARATION OF POLYURETHANES

APPLICANT(S) FOR DO/EO/US

Bernd ZASCHKE, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☒ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

**Application Data Sheet/Notice of Priority/Drawings (5 Sheets)/PCT/IB/304/PCT/IB/308/PTO-1449
Statement of Relevancy/Cited References (14)/Amended Sheets (Pages 48-50)**

U.S. APPLICATION NO (if known, see 37 CFR 1.53) <div style="font-size: 24pt; font-weight: bold; margin-top: 5px;">10/507315</div>		INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 5px;">PCT/EP03/02576</div>		ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 5px;">257253US0PCT</div>	
24. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00				<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
ENTER APPROPRIATE BASIC FEE AMOUNT =				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$920.00</div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	16 - 20 =	0	x \$18.00	<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
Independent claims	2 - 3 =	0	x \$86.00	<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
TOTAL OF ABOVE CALCULATIONS =				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$920.00</div>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
SUBTOTAL =				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$920.00</div>	
Processing fee of \$130.00 for furnishing the English translation later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
TOTAL NATIONAL FEE =				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$920.00</div>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$0.00</div>	
TOTAL FEES ENCLOSED =				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">\$920.00</div>	
				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">Amount to be refunded</div>	
				<div style="border: 1px solid black; padding: 5px; font-weight: bold;">charged</div>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p>a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>15-0030</u></p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> </div> <div style="width: 35%; text-align: right;"> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> </div> </div>					
CUSTOMER NUMBER 22850				<div style="text-align: right;"> SIGNATURE Norman F. Oblon NAME Corwin P. Umbach, Ph.D. 24,618 Registration No. 40,211 REGISTRATION NUMBER September 10, 2004 DATE </div>	

10/507315

Docket No. 257253US0PCT

DT Rec'd PCT/PTO 10 SEP 2004

IN RE APPLICATION OF: Bernd ZASCHKE, et al.

SERIAL NO: New U.S. PCT Application based on PCT/EP03/02576

FILED: Herewith

FOR: GRAFT POLYOLS HAVING A BIMODAL PARTICLE SIZE DISTRIBUTION, PREPARATION OF SUCH GRAFT POLYOLS AND THEIR USE FOR THE PREPARATION OF POLYURETHANES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Credit Card Payment Form for \$920.00/PCT Transmittal Letter/Application Data Sheet Preliminary Amendment (with cover sheet)/Notice of Priority/PCT/IB/304/PCT/IB/308 English Translation of Specification/Drawings (5 Sheets)/Declaration Translation of the Annexes to the International Preliminary Examination Report Amended Sheets (Pages 48-50)/Information Disclosure Statement/PTO-1449 Statement of Relevancy/Cited References (14)/International Search Report

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	16	MINUS	20	0	x \$18 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x \$86 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$290 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of \$0.00 is attached.
- ☐ Credit card payment form is attached to cover the fees in the amount of \$0.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Customer Number

22850

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